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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

AARON GREENSPAN,

Plaintiff,

v.

OMAR QAZI, SMICK ENTERPRISES, INC.,
 ELON MUSK, and TESLA, INC.,

Defendants.

Case No. 3:20-cv-03426-JD

**SECOND REQUEST FOR
 JUDICIAL NOTICE IN SUPPORT
 OF PLAINTIFF'S OPPOSITION
 TO DEFENDANTS' MOTIONS TO
 DISMISS PLAINTIFF'S THIRD
 SUPPLEMENTAL AND
 AMENDED COMPLAINT AND
 SPECIAL MOTION TO STRIKE
 CLAIMS UNDER CALIFORNIA'S
 ANTI-SLAPP STATUTE, CIV.
 PROC. CODE § 425.16**

Judge: Hon. James Donato
 Complaint Filed: May 20, 2020
 TAC Filed: February 12, 2021

Pursuant to Federal Rule of Evidence 201 and *Rosales-Martinez v. Palmer*, 753 F.3d 890, 894-895 (9th Cir. 2014), Plaintiff Aaron Greenspan requests that the Court incorporate by reference or take judicial notice of the documents identified below, attached herein as Exhibits.

I. DOCUMENTS SUBJECT TO THIS REQUEST

Exhibit	Description	Basis for Notice and/or Incorporation
I	April 24, 2021 Twitter Post by Elon Musk Stating, "Lies can be beautiful"	Publicly available from a reliable source; TAC ¶ 279; Issues 1-35
J	April 28, 2021 Twitter Post by Elon Musk Responding "exactly" to Assertion That Omar Qazi's	Publicly available from a reliable source; TAC

	@WholeMarsBlog Twitter Account Has Replaced Tesla, Inc. Public Relations Team
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¶¶ 115, 138, 212

II. FACTUAL BASIS

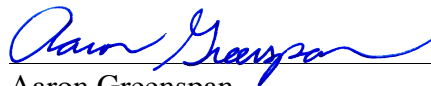
Judicial notice is proper because the documents' existence and authenticity cannot reasonably be questioned. Both Exhibits I and J did not exist at the time the Third Supplemental and Amended Complaint (ECF No. 103) or Plaintiff's opposition briefs to Defendants' most recent motions to dismiss were filed (ECF Nos. 109-110).

Defendants do not dispute that posts on Twitter are properly subject to judicial notice. ECF No. 108-10. Elon Musk's tweets in particular have frequently been the subjects of requests for judicial notice. *Id.*

III. CONCLUSION

For the aforementioned reasons, Plaintiff respectfully requests that the Court take judicial notice of the above referenced documents.

Dated: April 28, 2021



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EXHIBIT I

April 24, 2021 Twitter Post by Elon Musk Stating, “Lies can be beautiful”



Explore

Settings



Tweet



Elon Musk @elonmusk · 7h
define ... beauty

28.2K

14.5K

120.3K



Kuma @KuroiKumanoashi · 7h
John Keats said it best:

"Beauty is truth, truth beauty,—that is all Ye know on earth, and all ye need to know."

50

102

2.1K



Elon Musk @elonmusk

Replying to @KuroiKumanoashi

Lies can be beautiful

2:23 AM · Apr 24, 2021 · Twitter for iPhone

461 Retweets

176 Quote Tweets

7,510 Likes



Sir Doge of the Coin @dogeofficialceo · 7h
Replying to @elonmusk and @KuroiKumanoashi



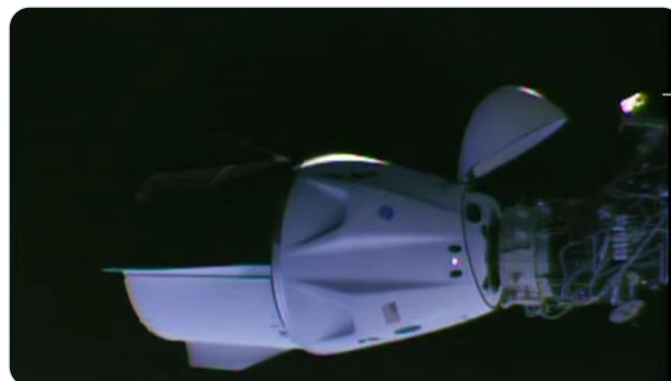
3

40



AstroX @A_S_T_R_O_X · 7h
Replying to @elonmusk and @KuroiKumanoashi

When your company worked endeavouredly and you have reached success.



2

4

30



@itsALLrisky · 7h



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Elon Musk @elonmusk
Technoking of Tesla
Mars 🚀



Kuma @KuroiKumanoashi
Twitter bear.

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Liverpool vs Newcastle Un
Trending with Klopp, Newcastle

Rap · Trending
Kanye
28.4K Tweets

Politics · Trending
#ArmenianGenocide
Trending with Ottoman Empire,

COVID-19 · LIVE
COVID-19: News and upda
for California

SAINT · April 22, 2021
Rapper "Shock G" Dead At
Age of 57

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EXHIBIT J

April 28, 2021 Twitter Post by Elon Musk Responding “exactly” to Assertion That Omar Qazi’s @WholeMarsBlog Twitter Account Has Replaced Tesla, Inc. Public Relations Team



Tweet



Warren Redlich      Bishop of Muskanity @... · 7h

This flow chart is for @garyblack00 and others who think @Tesla needs a PR Team.

@WholeMarsBlog @elonmusk

Tesla With PR Team

Event happens



Tesla response

Media misreports Tesla Response

Tesla With no PR Team

Event happens



No Tesla response

Story Dies

Media misreports event.

88

299

4.4K



Elon Musk 

@elonmusk

Replying to @WR4NYGov @garyblack00 and 2 others

  exactly

2:50 PM · Apr 28, 2021 · Twitter for iPhone

194 Retweets

15 Quote Tweets

6,403 Likes











Z @PlaidModelS · 3h

Replying to @elonmusk @WR4NYGov and 3 others

How's Plaid+ coming along?

1

3



Ben    @cyberben007 · 3h

Replying to @elonmusk @WR4NYGov and 3 others

@WR4NYGov is the man with the plan!

1

3



Chansoo Byeon @ByeonChansoo · 3h

Replying to @elonmusk @WR4NYGov and 3 others

Elon can we get trackmode on AWD Model3?

1

6



Dan of 6.2k @spotted_model · 3h

Replying to @elonmusk @WR4NYGov and 3 others

2



corey cummings @nerdalator · 3h

Replying to @elonmusk @WR4NYGov and 3 others

Uh oh now Elon is responding to @WR4NYGov ! Haha



Tesla in the Gong    @TeslaGong · 3h

Replying to @elonmusk @WR4NYGov and 3 others



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Elon Musk 

@elonmusk

Technoking of Tesl
Mars 🤖



Warren Redlich 

@WR4NYGov

Elon fanboy. Tech v
SpaceX Boring Neu
linktr.ee/wredlich R
#Libertarian Long \$
Illiterate in 4 langua



Gary Black

@garyblack00

Former CEO Aegon
Co-CIO Calamos, C
Goldman Sachs As:
CEO/CIO Janus. My
own and don't repr
advice.

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[States, House Chamber](#)

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Kamala

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Kamala Harris, words 'no pr
said...from this podium'
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